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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/585,396

07/06/2006

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PU050068

2523

24498 7590 12/23/2009
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EXAMINER

SONG, HOSUK

ART UNIT

PAPER NUMBER

2435

MAIL DATE

DELIVERY MODE

12/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/585,396	Applicant(s) PICARD ET AL.	
	Examiner HOSUK SONG	Art Unit 2435	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 53 and 55-84 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 53,55-58,62-68,70,71,74,75,78,79,83 and 84 is/are rejected.
- 7) ☒ Claim(s) 59-61,69,72,73,76,77 and 80-82 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 May 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/22/08;7/6/08</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 53,55-58,62-68,70-71,74-75,78-79,83-84 are rejected under 35 U.S.C. 102(e) as being anticipated by Zeller et al(US 7,054,461).

Claim 53: Zeller disclose the digital representation includes a representation of a copy detection signal that is sensitive to transformations produced by digital-to-analog and analog-to-digital conversion, whereby the representation of the copy detection signal may be used to determine whether another digital representation of the analog signal was made by digitizing an analog signal produced from the digital representation in (col.3,lines 34-58;col.15,lines 15-31;col.22,lines 42-53).

Claim 55: Zeller disclose selecting sets of patterns elements belonging to the digital authentication pattern to carry message elements of the message and for each selected set, setting the values of the patterns elements in the set to carry the message element such that the digital authentication pattern's ability to detect copying remains substantially unchanged in (col.16,lines 56-67;col.17,lines 1-12; col.18,lines 23-30).

Claim 56: Zeller disclose setting the values such that the entropy of the digital authentication pattern is substantially unchanged in (col.15,lines 5-15;col.17,lines 66-67;col.18,lines 1-18).

Claim 57: Zeller disclose message elements specify values belonging to a range thereof ; and a selected set of pattern elements is set to indicate a message element specifying one of the values of the range in setting set in (col.16,lines 61-67;col.17,lines 1-12,59-65).

Art Unit: 2435

Claim 58: Zeller disclose selected set is set using a key in (col.19,lines 47-65).

Claim 62: Zeller disclose message is encoded using a key in (col.17,lines 36-58).

Claim 63: Zeller disclose selecting act, a key is used to select the set of pattern elements that an elements that an element of the message is inserted into in (col.19,lines 40-65).

Claim 64: Zeller disclose pattern element is a primitive element of the digital representation to which the digital authentication pattern belongs in (col.4,lines 34-53).

Claim 65: Zeller disclose storage device contains code which when executed by a processor in (col.3,lines 35-40).

Claim 66: Zeller disclose a plurality of sets of pattern elements, the plurality of sets of pattern elements including sets thereof that carry message elements belonging to the message and in set that carries message element, the sets values are set such that the digital authentication pattern's ability to detect copying remain substantially unchanged in (col.4,lines 34-53; col.16,lines 61-67;col.17,lines 1-12,59-65).

Claim 67: Zeller disclose setting the values such that the entropy of the digital authentication pattern is substantially unchanged in (col.15,lines 5-15;col.17,lines 66-67;col.18,lines 1-18).

Claim 68: Zeller disclose the message elements specify values belonging to a range thereof and in a set that carries message elements, the set's values are set to indicate a message element specifying one of the values of the range in (col.16,lines 61-67;col.17,lines 1-12,59-65).

Claim 70: Zeller disclose the pattern element is a primitive element of the digital representation to which the digital authentication pattern belongs in (col.4,lines 34-53).

Claim 71: Zeller disclose the pattern element is a pixel in (col.4,lines 50-65).

Claim 74: Zeller disclose the storage device contains the digital authentication in (col.3,lines 52-65).

Art Unit: 2435

Claim 75: Zeller disclose selecting sets of the pattern elements from the plurality, selected sets carrying message elements of the message and the values of selected set's pattern elements being set such that the digital authentication pattern's ability to detect copying remains substantially unchanged(col.16,lines 5-17) and for each selected set, comparing the selected set with equivalent sets that have a possible value of the message element to determine a value of the message element in the selected set in (col.4,lines 34-53; col.16,lines 61-67;col.17,lines 1-12,59-65).

Claim 78: Zeller disclose message elements specify values belonging to a range thereof and equivalent sets of pattern elements include a set for each of the values in the range in (col.17,lines 44-65).

Claim 79: Zeller disclose selection is done using a key in selecting act in (col.19,lines 47-65).

Claim 83: Zeller disclose message element is repeated in the set of pattern elements and further comprising sets of pattern elements containing the repeated message element to statistically determine a value of the repeated message element in (col.17,lines 1-25).

Claim 84: Zeller disclose storage device in (col.3,lines 35-40).

Allowable Subject Matter

Claims 56-61,69,72-73,76-77,80-82 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2435

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HOSUK SONG/
Primary Examiner, Art Unit 2435